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Attorneys for the Arizona State Board of Pharmacy

7  
8 **BEFORE THE ARIZONA STATE BOARD OF PHARMACY**

9  
10 In the Matter of

11 **JEFFREY HANNIBAL**  
Pharmacist License No. 11674  
12 In the State of Arizona

Board Case No. 08-0011-PHR

**CONSENT AGREEMENT ORDER  
REINSTATING PHARMACIST  
LICENSE WITH PROBATION**

13  
14 **CONSENT AGREEMENT**

15 As Jeffrey Hannibal ("Mr. Hannibal") has petitioned the Arizona State Board of  
16 Pharmacy (the "Board") for reinstatement of his pharmacist license and, consistent with  
17 the public interest, statutory requirements and the responsibilities of the Board under  
18 A.R.S. §§ 32-1901, *et. seq.*, the Board and Mr. Hannibal enter into the following Recitals,  
19 Findings of Fact, Conclusions of Law and Order ("Consent Agreement") for the  
20 reinstatement of Mr. Hannibal's Pharmacist License No. 11674 with probation.

21 1. Mr. Hannibal has read and understands this Consent Agreement and has  
22 had the opportunity to discuss this Consent Agreement with an attorney, or has waived  
23 the opportunity to discuss this Consent Agreement with an attorney.

24 2. By entering into this Consent Agreement, Mr. Hannibal knowingly and  
25 voluntarily relinquishes all right to such an administrative hearing, as well as rights of  
26

1 rehearing, review, reconsideration, appeal, judicial review or any other administrative  
2 and/or judicial action, concerning the matters set forth herein.

3 3. Mr. Hannibal affirmatively agrees that this Consent Agreement shall be  
4 irrevocable.

5 4. Mr. Hannibal acknowledges and agrees that, upon signing this Consent  
6 Agreement and returning this document to the Board's Executive Director, he may not  
7 revoke his acceptance of the Consent Agreement or make any modifications to the  
8 document regardless of whether the Consent Agreement has been signed by the  
9 Executive Director. Any modification to this original document is ineffective and void  
10 unless mutually agreed by the parties in writing.

11 5. Mr. Hannibal understands that the Consent Agreement shall not become  
12 effective unless and until signed by the Board's Executive Director.

13 6. If a court of competent jurisdiction rules that any part of this Consent  
14 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement  
15 shall remain in full force and effect.

16 7. Mr. Hannibal understands that this Consent Agreement is a public record  
17 that may be publicly disseminated as a formal action of the Board and may be reported as  
18 required by law to the National Practitioner Data Bank and the Healthcare Integrity and  
19 Protection Data Bank.

20 8. Mr. Hannibal understands that any violation of this Consent Agreement  
21 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §§ 32-  
22 1901.01(B)(20), -1927(A)(1).

23 9. Mr. Hannibal agrees that the Board will adopt the following Findings of  
24 Fact, Conclusions of Law and Order.

1 ACCEPTED AND AGREED BY JEFFREY HANNIBAL

2  
3 Jeffrey Hannibal  
4 Jeffrey Hannibal

Dated: 9/26/07

5 Subscribed and sworn to before me in the County of Maricopa, State of Arizona,  
6 this 26 day of Sept, 2007, by Jeffrey Hannibal.



Lisa Klingensmith  
NOTARY PUBLIC

My Commission expires: 1/8/2011

10 **FINDINGS OF FACT**

11 1. The Arizona State Board of Pharmacy ("Board") is the duly constituted  
12 authority for licensing and regulating the practice of pharmacy in the State of Arizona.

13 2. Jeffrey Hannibal ("Mr. Hannibal") was the holder of license number  
14 11674 to practice as a pharmacist in the State of Arizona.

15 3. On August 2, 2006, Mr. Hannibal's pharmacist license was revoked  
16 pursuant to the Consent Agreement for Revocation in Board Case No. 06-0032-PHR.

17 4. At the Board's September 2007 Board Meeting, Mr. Hannibal  
18 requested that the Board reinstate his license. The Board voted to reinstate Mr.  
19 Hannibal's license subject to certain conditions.

20 **CONCLUSIONS OF LAW**

21 1. The Board possesses jurisdiction over the subject matter and over  
22 Respondent pursuant to A.R.S. § 32-1901 *et seq.*

23 2. Under A.R.S. § 32-1928(D), with or without conditions, the Board may  
24 reinstate the license of any pharmacist or pharmacy intern that it has placed on probation  
25 or whose license it has suspended or revoked.  
26

### ORDER

Based upon the above Findings of Fact and Conclusions of Law and under the authority granted to the Board by A.R.S. § 32-1928(D), IT IS HEREBY ORDERED AS FOLLOWS:

1. Mr. Hannibal's License No. 11674 to engage in the practice of pharmacy will be REINSTATED upon completion of the following:

a. Submission of proof of completion of any continuing education due under A.R.S. § 32-1936 and A.A.C. R4-23-204; and

b. Payment of any renewal fees due pursuant to A.R.S. § 32-1925.

2. Mr. Hannibal's reinstated license is immediately placed on PROBATION for a period of five (5) years from the effective date of this Order. During the term of PROBATION, Respondent shall complete the following terms and conditions:

a. Mr. Hannibal shall, within ten days of the effective date of this order, sign a five (5) year contract with Pharmacists Assisting Pharmacists of Arizona ("PAPA") and abide by each and every requirement of the PAPA contract. Failure to sign a PAPA contract or abide by the PAPA contract's terms is a violation of this Order.

b. Mr. Hannibal shall pay all necessary fees and complete all Continuing Education requirements throughout the term of his probation to maintain reinstated Pharmacist License No. 11674.

c. Mr. Hannibal shall furnish all pharmacy employers with a copy of this Board Order throughout the term of his probation.

d. Mr. Hannibal shall not serve as a preceptor pharmacist or pharmacist in charge throughout the term of his probation.

1 e. Mr. Hannibal shall advise the Board immediately of any change in  
2 pharmacy employment status throughout the term of his probation.

3 f. Mr. Hannibal shall furnish the Board with a list of all jurisdictions in  
4 which he maintains or has maintained licensure in the profession of pharmacy  
5 along with the registration numbers of said licenses.

6 g. Mr. Hannibal shall obey all federal and state laws and rules  
7 governing the practice of pharmacy.


8 h. If Mr. Hannibal violates this order in any way or fails to fulfill the  
9 requirements of this order, the Board, after giving the respondent notice and the  
10 opportunity to be heard, may revoke, suspend or take other disciplinary actions  
11 against the Respondent's license. The issue at such a hearing will be limited  
12 solely to whether this order has been violated.

13 i. Mr. Hannibal shall appear before the Board at a regularly scheduled  
14 Board meeting five years after the effective date of this Order to request that the  
15 probation imposed by this order be terminated. Mr. Hannibal's failure to petition  
16 the Board to terminate the probation shall extend the probation period.

17  
18 DATED this 1<sup>ST</sup> day of OCTOBER, 2007.

19 ARIZONA STATE BOARD OF PHARMACY

20  
21 (Seal)

22 By:   
23 HAL WAND, R.Ph.  
24 Executive Director  
25  
26

1 ORIGINAL OF THE FORGOING FILED  
2 this \_\_\_\_\_ day of \_\_\_\_\_, 2007, with:

3 Arizona State Board of Pharmacy  
4 1700 West Washington, Suite 250  
5 Phoenix, Arizona 85007

6 EXECUTED COPY OF THE FOREGOING MAILED  
7 BY REGULAR MAIL  
8 this \_\_\_\_\_ day of \_\_\_\_\_, 2007, to:

9 Jeffrey Hannibal  
10 7436 N. Starry Sky Drive  
11 Prescott Valley, Arizona 86314  
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